



CHRIS CHRISTIE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey State Board of Physical Therapy Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



PAULA T. DOW  
Attorney General

KIM GUADAGNO  
Lt. Governor

March 11, 2011

THOMAS R. CALCAGNI  
Acting Director

By Certified and Regular Mail

Arlene Krantz, P.T.A.  
700 N. Jerome Avenue  
Margate City, NJ 08402

**Mailing Address:**

P.O. Box 45014  
Newark, NJ 07101  
(973) 504-6455

Re: Offer of Settlement in Lieu of Filing a Formal Disciplinary Complaint

Dear Ms. Krantz:

This letter is to advise you that the New Jersey State Board of Physical Therapy Examiners ("Board") has had an opportunity to review information concerning your employment at Bacharach Institute for Rehabilitation as a physical therapy assistant. It appears from your testimony at the investigative inquiry and a review of the patient records that you engaged in a pattern of changing the physical therapists plan of care without obtaining proper prior approvals from the particular physical therapists. It also appears that you engaged in manual therapy without the physical therapist conducting an assessment or a re-evaluation.

Specifically, the information reviewed consisted of the patient records for B.H., K.L. and your testimony at the investigative inquiry that you attended without an attorney on October 13, 2009. Specifically, the information reviewed included that:

During the course of physical therapy treatment you testified that you would make an assessment of the patient B. H. based on the subjective information the patient provided and made a change to the treatment and then after the fact you either would verbally inform the physical therapist that the change was made, often the conversations with the physical therapist were not documented in the record. The record supports that you initiated manual therapy techniques without the physical therapist conducting an assessment or re-evaluation.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.A.C. 13:39A-2.3(d) in that you as a physical therapist assistant shall not perform a physical therapy examination, evaluation, diagnosis or prognosis, develop a plan of care, modify a plan of care or independently engage in physical therapy instruction, including but not limited, the recommendation of assistive devices and modifications of the patient's environment. Specifically, that you changed or modified the plan of care for several patients without the direction of the physical therapist.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist in the future from changing or modifying the treatments to a patient's plan of care without the direct supervision and authorization of a physical therapist as required by N.J.A.C. 13:39A-2.3(a).
2. Pay a civil penalty in the amount of \$250.00. Payment shall be remitted in full by certified check or money order to The Board of Physical Therapy Examiners, attention Lisa Affinto, Executive Director, P.O. Box 45014, 124 Halsey Street, Newark, New Jersey, 07101 upon signing of this settlement letter.
3. Pay costs in the amount of \$455.50 which represents the total amount of the investigation as reflected in the certification of Lisa Affinito, Executive Director that is attached hereto.


If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General, Carmen A. Rodriguez who may be reached at (973)-648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS

By: \_\_\_\_\_

  
Lisa Affinito  
Executive Director

ACKNOWLEDGMENT: I, Arlene Krantz, P.T.A., hereby acknowledges that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$250.00 plus \$455.50 for a total of \$705.50 to be paid upon signing of this acknowledgment).

 P.T.A.  
Arlene Krantz, P.T.A.

cc: Carmen A. Rodriguez, D.A.G.

MAR 23 2011